

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

S.S., By and her next friend,
MELISSA SENIOR MONTANO;
K.T.D.M., by his next friend,
JOSSELLE DeMARCO-CHANDLER;
and F.E.G., by his next friend,
SUSIE GARCIA

Plaintiffs,

v.

Cause No. CV-09-413 LAM/GBW

THE WEST LAS VEGAS SCHOOL DISTRICT,
GEORGE CRUZ, and JANE LOPEZ, In their
individual and official capacities,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

Magistrate Judge Wormuth filed his proposed *Findings of Fact and Recommended Disposition* (hereinafter, "PF&RD") (Doc. 86) under seal on July 20, 2010. At the Fairness Hearing, the parties were advised of their right to file objections to the PF&RD pursuant to 28 U.S.C. § 636(b)(1). *Clerk's Minutes* (Doc. 83) at 2; PF&RD (Doc. 86) at 1 n.2. In order to expedite the approval of the settlement, however, counsel agreed to waive their right to object. *Clerk's Minutes* (Doc. 83) at 2. Having reviewed the *Joint Motion to Approve*

Settlement on Behalf of Minors (Doc. 77) *de novo*, the Court finds the settlement fair, reasonable, and in the best interests of the children for the reasons described in Magistrate Judge Wormuth's *PF&RD* (Doc. 86).

WHEREFORE, IT IS HEREBY ORDERED that the proposed *Findings of Fact and Recommended Disposition* (Doc. 86) is **ADOPTED** and the parties' Joint Motion to Approve Settlement *on Behalf of Minors* (Doc. 77) is **GRANTED**.

IT IS FURTHER ORDERED that this action be dismissed with prejudice.

IT IS SO ORDERED.

Lourdes A. Martinez
LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE
Presiding by consent